



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

Ref: 8ENF-L

March 8, 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

David G. Scott
Brownstein Hyatt Farber & Schreck
410-17th Street, Suite 2200
Denver, Colorado 80202

RE: Gilt Edge Mine Site, Lawrence County, South Dakota
Request for Information, Zurich Insurance
Confidential Business Information Claim

Dear Mr. Scott:

The United States Environmental Protection Agency (EPA) has authorized Eisenstein-Malanchuk, LLP, under Contract No. EP-W-07-079 (Contract), to review information submitted to EPA under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. §9601 *et seq.*, by potentially responsible parties, insurance companies and/or insurance brokers. Some of this information may have been claimed or determined to be confidential business information (CBI) in accordance with Title 40 of the Code of Federal Regulations (CFR) Part 2. Under the Contract, Eisenstein-Malanchuk will provide advice to EPA in connection with insurance issues arising in Superfund cases.

Pursuant to EPA regulations at 40 CFR Part 2, Subpart B, EPA has determined that Eisenstein-Malanchuk requires access to insurance related documents claimed as CBI by you in your March 7, 2011, response to an EPA request for information directed to Zurich Insurance Company in connection with the referenced site. These regulations provide for notice to the party claiming confidentiality and a reasonable time (not less than 5 days) for the party to submit comments before EPA contractors are given access to these documents. This letter serves as that notice and starts the five (5) day comment period. If this time frame is not adequate, please call me as soon as possible.

The Eisenstein-Malanchuk team is required by contract to protect confidential information, and EPA has evaluated and approved Eisenstein-Malanchuk security measures.

When Eisenstein-Malanchuk has completed its review of the documents, Eisenstein-Malanchuk will return the documents to EPA upon request.

If you have any questions, please contact me at (303) 312-6904.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrea Madigan", with a long horizontal flourish extending to the right.

Andrea Madigan
Enforcement Attorney



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<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X <i>[Signature]</i></p>	
<p>1. Article Addressed to: <i>WAF 9 201</i></p> <p>David G. Scott Brownstein Hyatt Farber & Schreck 410-17th Street, Suite 2200 Denver, Colorado 80202</p>		<p>B. Received by (Printed Name) <i>Brownstein Hyatt Farber & Schreck</i></p> <p>C. Date of Delivery <i>3/8/11</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p>	
<p>2. Article Number (Transfer from service label) <i>7009 3410 0000 2593 8634</i></p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>PS Form 3811, February 2004</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p>Domestic Return Receipt</p> <p>102595-02-M-1540</p>	

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for instructions